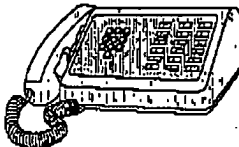


NOV 19 2004

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PETER W. PETERSONROBERT CURCIO  
JOHN J. TOMASZEWSKI  
KELLY M. REYNOLDS  
\*NY BAR121 WHITNEY AVENUE  
NEW HAVEN, CONNECTICUT 06510-1241  
TELEPHONE (203) 787-0595 FACSIMILE (203) 787-5818  
E-MAIL delpet@delpet.com

PARAPROFESSIONALS

TODD W. PATTIST  
BRENDA A. SULLIVAN**FACSIMILE COVER LETTER**

|                           |                                                      |                                                                                                         |                       |
|---------------------------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Our Ref.:</b>          | <b>NOVE100041000</b>                                 | <b>Your Ref.:</b>                                                                                       | <b>S/N 10/821,092</b> |
| <b>Fax No. Called:</b>    | <b>703-872-9306</b>                                  |                                                                                                         |                       |
| <b>Please Deliver To:</b> | <b>Director and All Art<br/>Units<br/>U.S.P.T.O.</b> | <b>PETITION UNDER 37 CFR 1.182 TO<br/>RESET DATE FOR RESPONDING TO<br/>NOTICE TO FILE MISSING PARTS</b> |                       |
| <b>From:</b>              | <b>Peter W. Peterson</b>                             |                                                                                                         |                       |
| <b>Date:</b>              | <b>November 19, 2004</b>                             |                                                                                                         |                       |

We are transmitting 11 pages (including this cover sheet)**MESSAGE:**

**PETITION UNDER 37 CFR § 1.182 TO RESET  
DATE FOR RESPONDING TO NOTICE TO FILE  
MISSING PARTS**

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NOV 19 2004

DOCKET: NOVE100041000

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

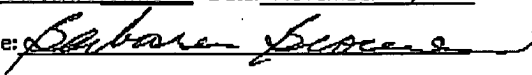
|              |                    |   |                         |
|--------------|--------------------|---|-------------------------|
| INVENTOR:    | Francisco Juarez   | ) | EXAMINER:               |
|              |                    | ) |                         |
| SERIAL NO.:  | 10/821,092         | ) | ART UNIT:               |
|              |                    | ) |                         |
| FILING DATE: | April 08, 2004     | ) | DATE: November 19, 2004 |
|              |                    | ) |                         |
| FOR:         | Method and         | ) |                         |
|              | Apparatus for      | ) |                         |
|              | Modulation of      | ) |                         |
|              | Precursor Exposure | ) |                         |
|              | During a Pulsed    | ) |                         |
|              | Deposition Process | ) |                         |

**PETITION UNDER 37 CFR § 1.182 TO RESET DATE  
FOR RESPONDING TO NOTICE TO FILE MISSING PARTS**

Mail Stop \_\_\_\_\_  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this paper is being facsimile transmitted to  
the Patent and Trademark Office on the date shown below.

Name: Barbara Browne Date: November 19, 2004

Signature: 

Dear Sir:

**Statement of Facts and Points to be Reviewed**

After inquiring as to the status of the above-identified application, on November 18, 2004 applicants first received the Notice to File Missing Parts of Nonprovisional Application dated June 21, 2004. A copy of the Notice and faxed cover letter is attached. This notice was not previously received by applicants' undersigned attorney of record.

The Notice is addressed to Dalzel Williams Jr. in Britton, MI, and not to applicants' undersigned attorney of record. Also attached is a copy of applicants' Declaration and

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Power of Attorney filed with the application on April 8, 2004, which shows that power of attorney was granted, and correspondence was to be sent, to the undersigned.

Action Requested

Since the error in sending the Notice to File Missing Parts was made by the U.S. Patent and Trademark Office, applicants respectfully request that the Office reset the deadline for response to the Notice to File Missing Parts to January 18, 2005, which would be two months from the date the Notice was actually received by applicants' representative.

Fee

Please charge any fee required in connection with this petition to the undersigned's deposit account no. 04-0566.

Respectfully submitted,



Peter W. Peterson  
Reg. No. 31,867

**DeLIO & PETERSON, LLC**  
121 Whitney Avenue  
New Haven, CT 06510-1241  
(203) 787-0595  
nove100041000petition.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
20, Box 1458  
Alexandria, Virginia 22313-0458  
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------------------|-----------------------|------------------------|
| 10/821,092         | 04/08/2004             | Francisco Juarez      | NOVE10004100           |

22891  
DELIO & PETERSON  
121 WHITNEY AVENUE  
NEW HAVEN, CT 06510

CONFIRMATION NO. 8981

RESEND COVER LETTER



\*0C000000014403362\*

Date Mailed: 11/18/2004

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 06/21/2004 is enclosed. The time period for reply continues to run from the mail date of that Notice.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/821,092         | 04/08/2004             | Francisco Juarez      | NOVE10004100           |

22981  
DALZEL WILLIAMS JR.  
5811 HOLLOWAY  
BRITTON, MI 49229

CONFIRMATION NO. 8981

FORMALITIES LETTER



\*OC00000013005833\*

Date Mailed: 06/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Patrick VanCleeemput*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement claim(s) commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121 is required.
- A replacement abstract commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

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Alexandria VA 22313-1450

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Initial Patent Examination Division (703) 308-1202  
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-2-

Prior Foreign Application(s)

| Priority | Claimed |
|----------|---------|
| Yes      | No      |

|          |           |                  |  |  |
|----------|-----------|------------------|--|--|
| (Number) | (Country) | (Day/Month/Year) |  |  |
|----------|-----------|------------------|--|--|

|          |           |                  |  |  |
|----------|-----------|------------------|--|--|
| (Number) | (Country) | (Day/Month/Year) |  |  |
|----------|-----------|------------------|--|--|

|          |           |                  |  |  |
|----------|-----------|------------------|--|--|
| (Number) | (Country) | (Day/Month/Year) |  |  |
|----------|-----------|------------------|--|--|

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as best defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

|                          |               |                               |
|--------------------------|---------------|-------------------------------|
| (Application Serial No.) | (Filing Date) | (Status)                      |
|                          |               | (granted, pending, abandoned) |

|                          |               |                               |
|--------------------------|---------------|-------------------------------|
| (Application Serial No.) | (Filing Date) | (Status)                      |
|                          |               | (granted, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony P. DeLio, Reg. No. 18,729; Peter W. Peterson, Reg. No. 31,867; Robert Curcio, Reg. No. 44,638; John J. Tomaszewski, Reg. No. 26,241; Kelly M. Reynolds, Reg. No. 47,898; all of DELIO & PETERSON, LLC.




Send Correspondence to:

DeLIO & PETERSON, LLC  
121 Whitney Avenue  
New Haven, CT 06510

Direct Telephone Calls to: Peter W. Peterson of DeLIO & PETERSON, LLC at  
(203) 787-0595.

Francisco Juarez

Full name of first inventor

  
Inventor's Signature

3/25/2004

Date

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Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

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Post Office Address

Dennis Hausmann

Full name of second joint inventor

  
Inventor's Signature

3/25/2004

Date

Los Gatos

Residence-City

California

Residence-State/Foreign Country

USA

Country of Citizenship

15901 Escobar Avenue, Los Gatos, California 95032

Post Office Address

-4-

Bunsen Nie  
Full name of third joint inventor

  
Inventor's Signature

3/25/04  
Date

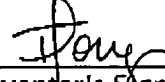
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Residence-City

California  
Residence-State/Foreign Country

USA  
Country of Citizenship

42706 Hamilton Way, Fremont, California 95438  
Post Office Address

Teresa Pong  
Full name of fourth joint inventor

  
Inventor's Signature

3/25/04  
Date


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California  
Residence-State/Foreign Country

USA  
Country of Citizenship

4557 Mangrove Drive, Dublin, California 94568  
Post Office Address

Adrianne Tipton  
Full name of fifth joint inventor

  
Inventor's Signature

3-25-04  
Date

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Residence-City

California  
Residence-State/Foreign Country

USA  
Country of Citizenship

~~4764 Quadres Ct, Fremont, California 94538~~ 6928 Corte Monterey Pleasanton CA 94566  
Post Office Address

Patrick VanCleemput  
Full name of sixth joint inventor

Inventor's Signature

Date

Sunnyvale  
Residence-City

California  
Residence-State/Foreign Country

Belgium  
Country of Citizenship

376 Flora Vista Avenue, Sunnyvale, CA 94086  
Post Office Address

nove100041000declar

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